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### Notice of Ex Parte Presentation

On April 1, 2002, Consumers Union staff met with Commissioner Abernathy and her staff. Present at the meeting were Gene Kimmelman and Chris Murray from Consumers Union; in attendance from the Commissioner's staff were Bryan Tramont, Jason Scism, Matt Brill, Stacy Robinson, and Jennie Berry.

During this meeting, Consumers Union (CU) discussed in general the need for more local competition to cable and telephone services. The following items were discussed in more detail: 1) the possibility of imposing reasonable conditions on the Echostar/DirecTV merger through the Commission's public interest authority, as CU detailed in its comments in proceeding 01-348; 2) how rapid approval of the application of Northpoint-Broadwave USA or other such MVDDS competitor could bring additional competition for video services, reiterating our comments in proceeding 98-206; 3) wireless number portability as a mechanism to ensure that business models other than RBOC-aligned companies can become vigorous wireless competitors, see our comments in 94-102; 4) media ownership rules and the need to preserve as much locally-relevant content as possible, see Consumers Union and Consumer Federation of America Comments in dockets 98-82 and 01-235; and 5) how appeal of the D.C. Circuit's decision in Fox v. FCC will be critical to preserve deference to the agency in future rulemakings, see Consumer Federation of America reply comments in docket 98-82.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Chris Murray". The signature is fluid and cursive, with a long, sweeping underline.

Chris Murray  
Internet & Telecommunications Counsel  
Consumers Union